

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

RICKY SOUCY, SR.,)	
)	
Plaintiff,)	
)	
v.)	1:20-cv-00024-JDL
)	
MAINE DEPARTMENT OF)	
CORRECTIONS, et al.,)	
)	
Defendants.)	

**ORDER ACCEPTING THE RECOMMENDED DECISION OF
THE MAGISTRATE JUDGE**

United States Magistrate Judge John C. Nivison filed his Recommended Decision (ECF No. 13) with the Court on February 24, 2020, pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2020) and Fed. R. Civ. P. 72(b), regarding allegations by Ricky Soucy, Sr., an inmate incarcerated at the Maine State Prison, that the Defendants violated his rights under the Americans with Disabilities Act, the Rehabilitation Act, and the Eighth and Fourteenth Amendments to the United States Constitution. Soucy filed an objection to the Recommended Decision on March 9, 2020 (ECF No. 14).

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record, including Soucy's objection, and I have made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decision. I concur with the recommendations of the United States

Magistrate Judge for the reasons set forth in his Recommended Decision and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision (ECF No. 13) of the Magistrate Judge is hereby **ACCEPTED**. Accordingly, Soucy's claims relating to the adequacy of the prison's grievance procedure, the alleged threats and verbal abuse he has experienced, and the alleged damage to his personal property are **DISMISSED**. Additionally, Soucy's claims against the Maine Department of Corrections and the Maine State Prison are **DISMISSED**. Soucy may proceed on his Eighth Amendment claim against Officer Touchette, Officer Brandon Soper, and Sergeant Thomas Averill relating to his transport to the Medium Unit, and on his claims against the State of Maine under the ADA and Rehabilitation Act

SO ORDERED.

Dated this 2nd day of June, 2020.

/s/ Jon D. Levy
CHIEF U.S. DISTRICT JUDGE